

**PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: M. A. Fathallah, et al.

Serial No.: 10/696,830

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Title: MEDICAL DEVICE SYSTEM

Attorney Docket No.: 7122US01

Group Art Unit: 3763

Confirmation No.: 1880

Examiner: LANDRY II, Gerald Ernest

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being electronically transmitted to the Patent and Trademark Office by 11:59 PM, Eastern time on the date shown below, addressed to the following recipient:

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Date of Transmission: October 25, 2010

/MRC/ **10/25/10**

Michael R. Crabb

Date

LETTER REGARDING PATENT TERM ADJUSTMENT CALCULATION

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

In response to the attached Determination of Patent Term Adjustment that accompanied the Notice of Allowance mailed September 21, 2010, Applicants fulfill their duty of candor by respectfully point out to the Office that it appears an overlap of 969 days (from October 30, 2006 to June 25, 2009) has yet to be identified or subtracted from the 1659 days stated in the current PTA calculation.

Thus, it is believed that the current PTA calculation of 1659 days is overstated by 969 days and actually should be 690 days. See the attached printout from Private PAIR. Please note the correct overlap in making the second calculation of the Patent Term Adjustment for the Issue Notification.

No fees or requests for extension of time are believed to be due in connection with this paper; however, the Commissioner is authorized to consider this a request for any additional extension of time and to charge our Deposit Account 50-3118 for any additional fees (or credit any over payments) that may be required in association with this communication for which full payment has not been tendered.

Appl. No. 10/696,830
Letter dated October 25, 2010

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Respectfully submitted,
M. A. Fathallah, et al.

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